



**Inspector
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Texas Health
and Human Services

Illegal Dental Solicitation

Office of Inspector General

November 19, 2021



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Texas Health
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OIG Overview

What is fraud, waste and abuse?

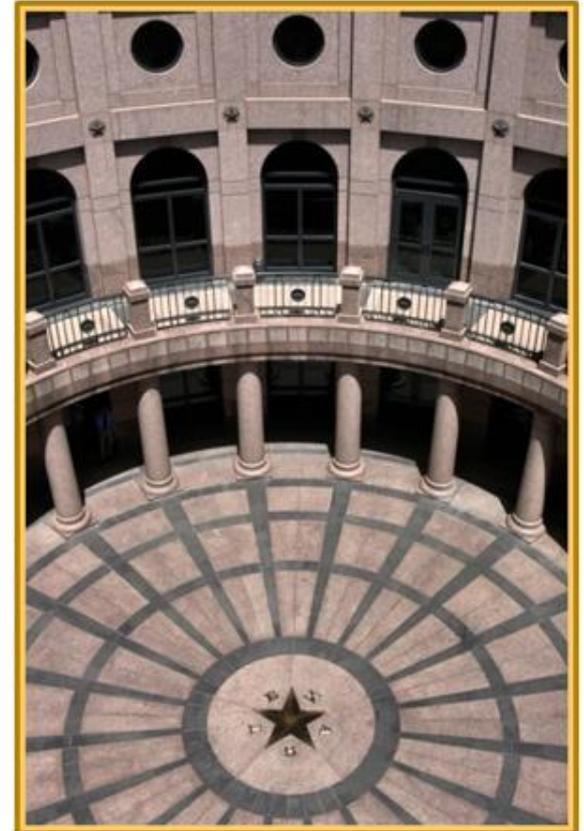


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Office of Inspector General

Created in 2003, the Office of Inspector General is legislatively tasked with prevention, detection, audit, inspection, review, and investigation of fraud, waste, and abuse in the Texas Health and Human Services System.





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VISION

Promoting the health and safety of Texans by protecting the integrity of state health and human services delivery.

MISSION

Prevent, detect, audit, inspect, review, and investigate fraud, waste, and abuse in the provision and delivery of all state health and human services, and enforce state law related to the provision of those services.



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What is Fraud?

Definition:

Fraud

Any act that constitutes fraud under federal or state law, including any intentional dishonesty or misrepresentation made by a person who knew the deception could cause unapproved benefit for themselves or another person.





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What is Waste?

Definitions:

Waste

Any practice a sensible person would consider careless or would cause excessive use of resources, items, or services.





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What is Abuse?

Definitions:

Abuse

Any practice inconsistent with proper fiscal, business or medical practices and causes unnecessary program cost.





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FWA Examples

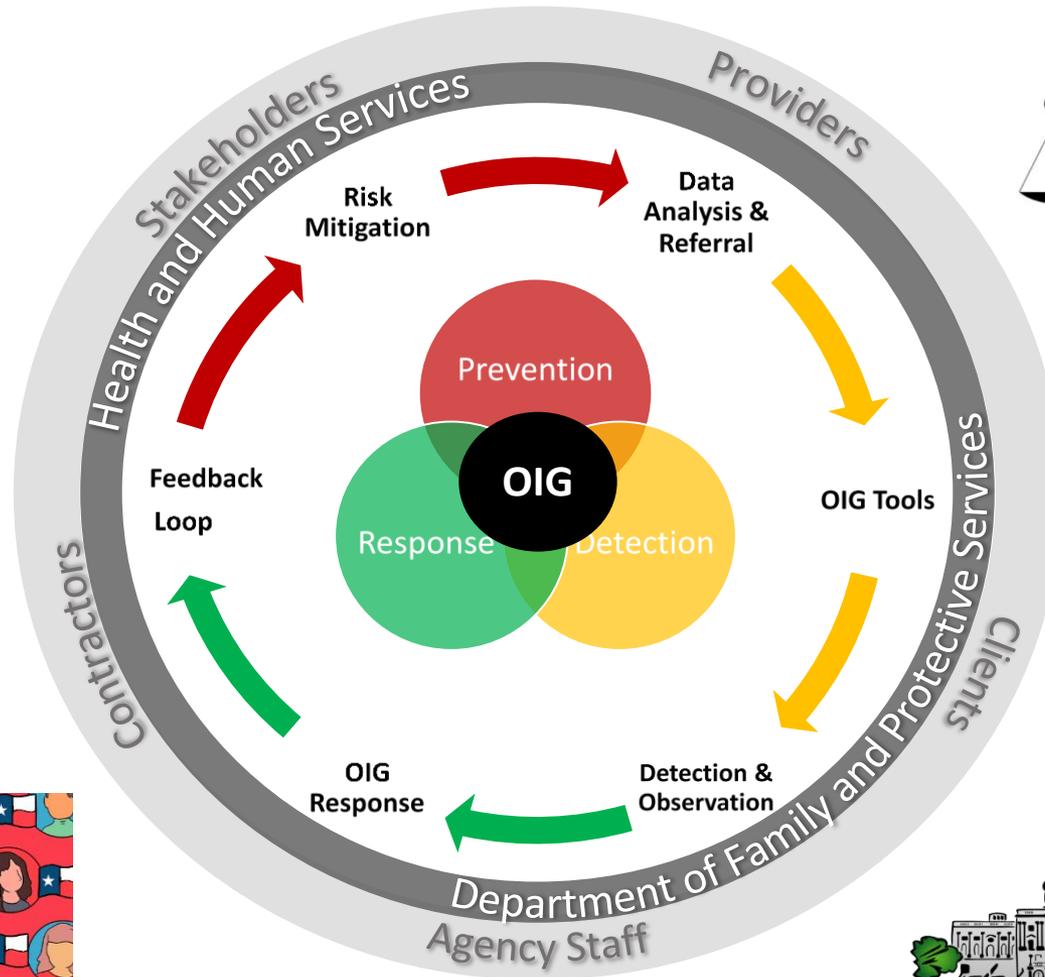
- Overcharging for services, supplies
- Providing services when not medically indicated
- Providing sub-standard services
- Missing doctor authorization for providing equipment
- Unnecessary hospital readmissions due to failure of care coordination
- Insufficient contract oversight
- Billing at a higher reimbursement rate than the service provided
- Billing for services not rendered
- Misrepresenting a need for services (e.g., diagnosis)
- Falsifying documents (e.g., photocopied doctor signatures, cloned notes, timesheets)



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FWA Prevention & Detection





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Reporting to OIG

**OIG has several ways to report
fraud, waste, and abuse:**

OIG Website

ReportTexasFraud.com

OIG Fraud Hotline

1-800-436-6184

OIG Mailing Address

Office of Inspector General

Attn: Fraud Hotline

MC 1300

PO Box 85200

Austin, Texas 78708-5200



ReportTexasFraud.com



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**Prevention Through Provider
Education**



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Illegal Dental Solicitation

Dental providers cannot offer cash, gifts, or other items to Medicaid recipients to influence their health care decisions, such as*:

- Cash, cash equivalents or gifts cards in any amount
 - Non-cash, low-cost items such as a toothbrush, typically aren't considered a violation
- Transportation unless arranged through the client's managed care organization or the Texas Health and Human Services Commission
- Free or discounted services for a family member

*Texas Administrative Code (TAC) §371.1669



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Dental Solicitation Details

A marketer offers a Medicaid recipient cash or a gift card to see the dentist that hired them.

- The Medicaid recipient typically doesn't have contact with the dentist's office until the day of the appointment.
- The marketer schedules the appointment and tells the recipient where to go.



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How the Scheme Works, Cont.

Marketers target individuals at shopping centers, daycare facilities, at home, or through social media.

- If an individual is not a Medicaid recipient, marketers might offer gift cards for referring children or others who have benefits.
- Individuals are often targeted around the holidays or before the new school year starts.



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OIG Investigations

The OIG may investigate improper gifts to potential clients, including providers who:

- Hire marketers looking for Medicaid recipients
- Pay drivers to transport Medicaid recipients for services
- Advertise free transportation on their websites



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Potential Penalties

Providers who solicit Medicaid clients face potential penalties including:

- Disciplinary action by the Texas State Board of Dental Examiners
- Injunction
- Administrative penalties
- Possible exclusion as a provider
- Criminal conviction
 - Class A misdemeanor
 - 3rd degree felony under certain circumstances



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Thank you

**To learn more about the
Office of Inspector General:**

Website: ReportTexasFraud.com

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Twitter: TexasOIG

LinkedIn: [hhsc-office-of-inspector-general](https://www.linkedin.com/company/hhsc-office-of-inspector-general)

Main number: 512-491-2000

Fraud hotline: 800-436-6184